

# MINUTES

## CALIFORNIA TRANSPORTATION COMMISSION

**March 29-30, 1999  
Sacramento, California**

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The meeting of the California Transportation Commission was called to order March 29, 1999 at 1:10 p.m. in Senate Hearing Room 2040 in the State Capitol Building in Sacramento, California.

The Commissioners' attendance was as follows:

Members Present: Edward Sylvester, Chairman  
David Fleming, Vice Chairman  
Octavia Diener, arrived at 1:25 p.m.  
Jim Kellogg  
Roger Kozberg  
Dana Reed  
Robert Wolf  
Assemblyman Tom Torlakson, Ex-Officio

Members Absent: Senator Betty Karnette, Ex-Officio

The meeting recessed at 4:55 p.m. and was reconvened on March 30, 1999 at 8:30 a.m.

The Commissioners' attendance was as follows:

Members Present: Edward Sylvester, Chairman  
David Fleming, Vice Chairman  
Octavia Diener  
Jim Kellogg  
Roger Kozberg  
Dana Reed

Members Absent: Robert Wolf  
Senator Betty Karnette, Ex-Officio  
Assemblyman Tom Torlakson, Ex-Officio

### 1. GENERAL MATTERS

#### 1.(1) Approval of Minutes for February 17-18, 1999 Meeting

The February 17-18, 1999 minutes were presented for adoption. Commissioner Reed moved to approve the minutes. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Diener was absent).

**1.(2)** Commissioners' Meetings for Compensation

The List of Commissioners' Meetings was presented for adoption. Commissioner Reed moved to approve the List. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Diener was absent).

**1.(3)** Consent Calendar

Deputy Director Robert Chung reviewed the changes to the Consent Calendar. The changes were as follows:

Items 2.5b(1), 2.5b(5), 2.5c(3), and 2.6b(4) were pulled for separate discussion and/or moved to the potential consent calendar.

Item 2.4b Resolutions of Necessity #C-17714, C-17716, C-17725, C-17729, C-17730, and C-17731 were withdrawn from the agenda.

Item 2.4b Resolutions of Necessity #C-17704, C-17705, C-17706, and C-17707 book item description was changed to include "Authorizes condemnation of land in fee for a State highway extinguishment of abutter's rights of access,...".

Item 2.5a Minor Projects #5, #8, and #15 were withdrawn by the Department prior to the meeting.

Item 2.5b(2) agenda language was changed to reflect the correct dollar amount and fund type.

Item 2.5b(3) SHOPP projects #13, 14, and 15 descriptions were corrected on the Agenda Vote List and/or the Book Item Attachment.

Item 2.5c(1) Local Assistance Projects #2 and 3 project descriptions were changed.

Deputy Director Chung briefly reviewed Potential Consent Calendar Items 2.1a(3), 2.1e(2), and 2.6b(1) and recommended they be added to the Consent Calendar. He further clarified that the funding for RT under 2.1a(3) should be \$4,474,000 for right-of-way and \$6,139,000 for construction. Vice Chairman Fleming moved to add the items to the Consent Calendar. Commissioner Kozberg seconded the motion which carried 6-0.

Commissioner Kozberg moved to approve the Consent Calendar as revised. Commissioner Diener seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**1.(4)** Commission Reports

Commissioner Reed noted that he would comment on the items heard by the Public Transit Committee as they were presented.

Vice Chairman Fleming discussed the rapid bus program for the Los Angeles Area.

Assemblyman Tom Torlakson presented an Assembly Resolution to Commissioner Wolf.

Executive Director Robert Remen discussed changing the June Meeting (scheduled in Los Angeles) from June 9-10, 1999 to June 7-8, 1999. Commissioner Reed moved to approve the change of dates. Vice Chairman Fleming seconded the motion which carried 6-0 (Commissioner Diener was absent).

Chairman Sylvester read into the record a Senate resolution authored by Senator Jim Costa honoring Commissioner Diener.

Assemblyman Torlakson reported on an upcoming hearing on April 22, 1999 in Contra Costa County concerning State Route 4. Staff was directed to fax the information to all Commissioners and poll them for interest and availability in attending the hearing.

**ACTION: P. Lowry**

**1.(5)** Business, Transportation and Housing Agency Report

Ken Bosanko, representing BT&H Secretary Maria Contreras-Sweet, discussed transportation plans for the 21<sup>st</sup> century and the expectation that the proposed Interregional Program for the 1998 STIP augmentation will be presented at the May Commission meeting.

**1.(6)** Caltrans Report

Caltrans Director Jose Medina reported on the status of the Century Freeway, Hatton Canyon, Route 99/70 corridor improvements, a Town Hall Safety meeting, and departmental vacancies.

**1.(7)** Regional Agencies Report

Regional Agencies Moderator Therese McMillan discussed federal demonstration projects and the Senate Resolution 8 questionnaire. Chairman Sylvester thanked her for her help in coordinating the preparation and distribution of the SR 8 questionnaire.

**2. PROJECT BUSINESS MATTERS****2.1 Program Amendments/Project Approvals****2.1a. STIP Amendments for Action**

- 2.1a.(1)** STIP Amendment 98S-23 - Action  
Deletes a \$150,000 Transportation Enhancement Activities (TEA) project and reprograms the funds to cover a cost increase on a pedestrian bridge TEA project, and programs \$56,000 from Shasta County's Regional Improvement Program (RIP) Short Term Reserve to a proposed widening project for PA&ED.

This item was approved on the Consent Calendar.

- 2.1a.(2)** STIP Amendment 98S-24 - Action  
Modifies the Glendale Grade Separation Interregional Improvement Program (IIP) project by reprogramming the entire amount of \$29,000,000 currently programmed for construction in FY 2001-02 to the appropriate components and fiscal years and changes the responsible agency from the Department of Transportation to the City of Glendale. The Department and the City of Glendale are requesting this amendment.

This item was approved on the Consent Calendar.

- 2.1a.(3)** STIP Amendment 98S-25 - Action  
Reprograms \$4,644,000 in Regional Improvement Program (RIP) funds - \$4,300,000 from an \$81,075,000 Folsom Corridor Extension project and \$344,000 from a \$3,000,000 Downtown Extension project - to the South Corridor Extension project increasing the RIP funds in the South Corridor Extension project from \$5,969,000 to \$10,613,000. In addition, changes the delivery year for the Folsom Corridor Extension and the Downtown Extension projects from FY 1998-99 to FY 1999-00. The Sacramento Regional Transit District (SRTD) is requesting this amendment.

This item was approved on the Consent Calendar.

- 2.1a.(4)** STIP Amendment 98S-26 - Action  
Amend the I-80 Reliever Route Corridor project in Solano County, programmed with \$13,516,000 in STIP funds and \$18,000,000 in various local funds, to shift STIP and local funds among project components and fiscal years and to insert \$5,960,000 in federal demonstration funds into the project.

Chief Deputy Director Pete Hathaway reviewed the proposed STIP amendment noting that Solano County had committed 100% of the \$14.4million in federal demonstration funds to the project. Executive Director Remen asked if Solano County would guarantee to finance any shortfall in federal demonstration funds, if necessary, and was told yes.

Commissioner Reed moved to approve the STIP amendment. Commissioner Kozberg seconded the motion which carried 5-0 (Commissioners Kellogg and Wolf were absent).

- 2.1a.(5)** STIP Amendment 98S-27 - Action  
Amend 126 TEA projects in 42 counties remaining from the 1996 STIP, nearly all now programmed in FY 1996-97, to reschedule about 20 projects to FY 1998-99, to reschedule about 80 projects to FY 1999-2000, and to propose deletion of 6 projects for which delivery cannot be assured before September 2000 when TEA funds from ISTEA will be expiring.

This item was approved on the Consent Calendar.

**2.1b.** STIP Amendments for Notice

- 2.1b.(1)** STIP Amendment 98S-28 - Notice  
Revises the funding for the Folsom Boulevard Interchange project in Sacramento County to include \$2,816,000 in demonstration funds and reduces the overall cost of the project based on revised PS&E estimates, thus reducing the overall Interregional Improvement Program (IIP) funding for this project by \$3,079,000. In addition, reprograms \$1,005,000 of a \$24,240,000 High Occupancy Vehicle (HOV) Lane project on Route 50 in El Dorado County programmed in FY 2000-2001 to a HOV Lane project on Route 50 in Sacramento County to be programmed in FY 1998-99, which will be combined with the Folsom Boulevard Interchange project for construction. The City of Folsom and El Dorado County Transportation Commission (EDCTC) are requesting this amendment.

Mark Robinson, Caltrans, reviewed the proposed STIP Amendment, noting that it would be presented next month for approval. Chairman Sylvester asked that it be placed on the consent calendar.

- 2.1b.(2)** STIP Amendment 98S-30 - Notice  
Revises the programmed year for the Spruce Street Extension project and the East Pine Street Drainage Improvement project in the City of Bishop from FY 1998-99 to 1999-2000 and increases the total cost of the Pine Street project from \$310,000 to \$325,000. The City of Bishop is requesting this amendment.

This item was withdrawn by Caltrans prior to the meeting.

- 2.1c.** TCI Amendments for Notice

No Items This Month

- 2.1d.** Proposition 116 - Non-Urban County Project Approvals/Amendments

No Items This Month

- 2.1e.** Proposition 116 - Rail Project Approvals/Amendments

- 2.1e.(1)** Project Approval for \$2,400,000 to City of Irvine for  
Guideway Demonstration Project Phase II.  
(Consistent with concurrent Allocation under Item 2.6b.(2).)  
Resolution PA-99-\_\_\_

Commissioner Reed reported that the PTC had reviewed this item and recommended approval.

Deputy Director Robert Chung noted that the agency had not included a report in December in the letter.

Commissioner Reed moved to approve Items 2.1e.(1) and 2.6b.(2) contingent upon an amended letter from the City of Irvine. Executive Director Remen read statements from the letter that indicated the status report back requirement was generally included in the letter as a goal and not specific commitment to reach a decision by December 1999. Commissioner Reed revised his motion to exclude the contingency. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Diener was absent).

- 2.1e.(2)** Project Approval for \$87,800,000 to Sacramento Regional  
Transit District for South Sacramento Light Rail Project, Folsom Light  
Rail Extension and Amtrak Station Improvements.  
(Consistent with concurrent partial Allocation under Item 2.6b.(1).)  
Resolution PA-99-\_\_\_

This item was approved on the Consent Calendar.

- 2.1f.** Environmental Enhancement and Mitigation Program Amendment  
Deletes two projects and adds four projects totaling \$474,360.  
(Consistent with concurrent Allocation under Item 2.5c(5).)  
Resolution G-99-\_\_\_\_, Amending Resolution G-98-16

EEM Program Manager Rick Gumz reviewed the EEM amendment and the allocation resolution for the four new projects [Item 2.5e.(5)].

Vice Chairman Fleming moved to approve Items 2.1f and 2.5c.(5). Commissioner Diener seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**2.2** Environmental Matters

**2.2a.** Comments on Document in Circulation (Draft EIR)

No Items This Month

**2.2b.** Approval of Project for Future Consideration of Funding  
(Negative Declaration)

- Route 180 in Fresno County - widen the highway between Whitesbridge Southern Pacific Railroad Crossing and Four Mile Slough near Mendota.  
Resolution E-99-12

This item was approved on the Consent Calendar.

**2.3** Highway Route Matters

**2.3a.** Route Adoptions

No Items This Month

**2.3b.** New Public Road Connections

No Items This Month

**2.3c.** One Relinquishment Resolution

- 04-CC-80-1.8/2.5 Route 80 in the City of El Cerrito  
Resolution R-3396

This item was approved on the Consent Calendar.

**2.3d.** Vacation Resolutions

No Items This Month

**2.4** Highway Right of Way Matters**2.4a.** Resolutions of Necessity - Appearances

No Items This Month

**2.4b.** 29 Resolutions of Necessity  
C-17698 through C-17713  
C-17715, C-17717 through C-17724  
C-17726 through C-C017728, C-17732

This item was approved on the Consent Calendar.

**2.4c.** Airspace Lease Direct Negotiation

No Items This Month

**2.4d.** Director's Deeds

No Items This Month

**2.5** Highway Financial Matters**2.5a.** Financial Vote for Nineteen Minor Projects totaling \$6,195,400  
plus \$127,000 from other sources.  
Resolution FP-98-58

This item was approved on the Consent Calendar.

**2.5b.** Financial Vote for STIP/TEA/SHOPP/TOLL Projects on the State Highway System.**2.5b.(1)** Nine STIP Projects totaling \$51,602,000 plus  
\$9,465,000 from other sources.  
Resolution FP-98-59

Project #5 was withdrawn by Caltrans prior to the meeting due to air quality nonconformity issues.

Project #10 project description on the Agenda Vote List and Book Item attachment were changed to read "Construct additional general purpose lane and HOV paving".

Jim Nicholas, Caltrans, presented the resolution and recommended approval.

Commissioner Reed moved to approve the resolution. Vice Chairman Fleming seconded the motion which carried 5-0 (Commissioners Kellogg and Wolf were absent).

- 2.5b.(2)** One TEA Project on Route 198 in Kings County for \$390,000.  
Resolution FP-98-60

This item was approved on the Consent Calendar.

- 2.5b.(3)** Twenty SHOPP Projects totaling \$55,646,000 plus \$12,409,100 from other sources.  
Resolution FP-98-61

This item was approved on the Consent Calendar.

- 2.5b.(4)** Seven SHOPP Projects Amended into the SHOPP by Department Action totaling \$23,225,000.  
Resolution FP-98-62

Project #6 project description on the Agenda Vote List and Book Item Attachment should read "In Southgate, from Downey Ave., to Lakewood Blvd." and the project parameters should be 14.9/15.6,

This item was removed from the Consent Calendar for separate discussion and vote.

Jim Nicholas, Caltrans, reviewed the amendment. The Commissioners discussed the amendment and asked Caltrans to prepare a detailed presentation on the history, status, and outlook for the Century Freeway drainage issues with possible allocation of funds for Project #6 and to provide the material to the Commissioners prior to the meeting.

**ACTION: T. Harris**

Vice Chairman Fleming moved to approve projects #1 through #5 and #7. Commissioner Kellogg seconded the motion which carried 6-0 (Commissioner Wolf was absent).

- 2.5b.(5)** One Toll Project on Route 47 in Los Angeles County (Vincent Thomas Bridge) for \$220,000.  
Resolution FP-98-63

Refer to Item 5.2 for proceedings related to this item.

- 2.5b.(6)** Three STIP Projects totaling \$20,193,000 plus \$17,443,000 from other sources. (Contingent upon adoption of 1998 STIP Augmentation (Item 4.4b).)  
Resolution FP-98-70

Project #2 allocation amounts on the agenda vote list and book item attachment were corrected to \$1,099,000 (state), \$8,485,000 (federal) for a total allocation of \$9,584,000.

Jim Nicholas, Caltrans, reviewed the three STIP projects.

Commissioner Diener moved to approve the resolution. Commissioner Kellogg seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**2.5c.** Financial Vote for STIP/EEM/TEA Projects off the State Highway System

- 2.5c.(1)** Four Local Assistance STIP Projects totaling \$31,466,000 plus \$2,405,000 from other sources.  
Resolution FP-98-64

This item was approved on the Consent Calendar.

- 2.5c.(2)** Six Local Assistance STIP Projects totaling \$6,491,000 plus \$25,789,660 from other sources. (Contingent upon adoption of 1998 STIP Augmentation (Item 4.4b).)  
Resolution FP-98-65

Jim Nicholas, Caltrans reviewed the Local Assistance STIP projects. Vice Chairman Fleming moved to approve the Resolution. Commissioner Diener seconded the motion which carried 6-0 (Commissioner Wolf was absent).

- 2.5c.(3)** Four Local Assistance TEA Projects totaling \$1,129,000 plus \$165,000 from other sources.  
Resolution FP-98-66

This item was removed from the Potential Consent Calendar for separate discussion and vote.

Chief Deputy Pete Hathaway reviewed the TEA projects. Commissioner Kozberg moved to approve the Item 2.5c.(3) and 2.6(b)(4). Vice Chairman Fleming seconded the motion which carried 6-0 (Commissioner Wolf was absent).

- 2.5c.(4)** Three Local Assistance EEM Project totaling \$425,417 plus \$140,351 from other sources.  
Resolution FP-98-67

This item was approved on the Consent Calendar.

- 2.5c.(5)** Four Local Assistance EEM Projects for \$474,360 plus \$156,140 from other sources.  
Resolution FP-98-68

Refer to Item 2.1f for proceeding related to this Item.

**2.5d.** Financial Vote for Projects with Cost Increases Greater than 120 Percent of Program Amount. Three Projects totaling \$29,973,000.  
Resolution FP-98-69

- 03-Nev-267 - STIP Project in Nevada County on Route 267. Construct 2-lane expressway on new alignment. Current programmed value of \$18,659,000 and current estimate of \$23,373,000 for a 25 percent increase over programmed amount.
- 03-Sac-L5753 - SHOPP Project in Sacramento County, in Rancho Cordova. Construct a new maintenance station. Current programmed value of \$2,742,000 and current estimate of \$3,700,000, for a 35 percent increase over programmed amount.
- 05-SB-1 - SHOPP Project in Santa Barbara County on Route 1. Rehabilitate roadway. Current programmed value of \$1,962,000 and current estimate of \$2,900,000, for a 48 percent increase over programmed amount.

Jim Nicholas, Caltrans, reviewed the projects and discussed the reasons for the cost increases.

Commissioner Reed moved to approve the increase for the 03-NEV-267 project. Commissioner Kellogg seconded the motion which carried 5-0-1 (Chairman Sylvester abstained from voting and Commissioner Wolf was absent).

Commissioner Diener moved to approve the cost increases for the remaining projects. Commissioner Kellogg seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**2.5e.** Financial Vote for Supplemental Funds for Previously Voted Projects

**2.5e.(1)** Supplemental Funds for Three Projects totaling \$2,109,000.  
Resolution FA-98-06

- 04-SCI-101 - STIP Project in Santa Clara County on Route 101. Original vote \$21,550,000, awarded for \$19,870,000 plus \$7,700,000 of supplemental funds for a current allocation of \$27,570,000. This request of \$452,000 for claim settlement, for a grand total of \$28,022,000. 41 Percent increase over award.
- 07-LA-30 - STIP Project in Los Angeles County on Route 30. Original vote \$3,589,000. Awarded for \$2,691,500. Current allocation \$3,160,500. This request of \$1,461,000 is for an on going project, for a grand total of \$4,621,500. 72 Percent increase over award.
- 10-Sta-132 - SHOPP Project in Stanislaus County on Route 132. Original vote \$177,000. This request of \$196,000 is for an on going project, for a grand total of \$373,000. 111 Percent increase over vote.

Jim Nicholas, Caltrans discussed the projects and discussed why supplemental funds were necessary. The 04-SCL-101 project was pulled from consideration. Vice Chairman Fleming moved to approve the supplemental funds for the 2 remaining projects. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**2.5e.(2)** Supplemental Funds for One Project for \$3,600,000.  
Resolution FA-98-07

- 07-LA-110 - STIP Project in Los Angeles County on Route 110. Original vote \$12,500,000. This request of \$3,600,000 to allow award, for a grand total of \$16,100,000. 29 Percent increase over vote

Jim Nicholas, Caltrans, reviewed the project and discussed the need for supplemental funds. The Commissioners discussed the project and correspondence from Assembly Speaker Villaraigosa.

Commissioner Reed moved to approve the supplemental funds subject to a meeting with Assembly Speaker Villaraigosa and Senator Polanco to discuss issues. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Wolf was absent). Staff was directed to prepare letter to Assembly Speaker Villaraigosa and Senator Polanco to schedule a meeting to discuss the Route 110 project.

**ACTION: R. Remen**

**2.5f.** Emergency Allocations

**2.5f.(1)** Informational Report - Emergency G-11 Allocations  
Ten Projects totaling \$7,800,000 Plus Eleven Additional  
Emergency Projects Totaling \$14,885,947 Approved  
By the Department After preparation of the March 1999  
Meeting Material for a Total of Twenty-One Emergency  
Projects Totaling \$22,685,947.

**2.5f.(2)** Informational Report - Phase II Seismic Retrofit G-11 Allocations  
Four Projects totaling \$6,786,000.

Jim Nicholas, Caltrans, reviewed the Emergency Allocations.

**2.5g.** Replacement Resolution FP-97-85 (Project #5 - CT/CHP TMC in Irvine), originally approved May 6, 1998, to allow transfer of \$1,378,000 from the Department's Support budget to the Capital Outlay budget to fund Department of General Services' contract.

This item was approved on the Consent Calendar.

**2.6** Mass Transportation Financial Matters

**2.6a.** Financial Vote for Transit Capital Improvement (TCI) Program Projects

**2.6a.(1)** One TCI Program Project for \$150,000 - Sacramento Regional  
Transit District  
Resolution MFP-98-21

This item was approved on the Consent Calendar.

**2.6a.(2)** One TCI Program Project for \$560,000 - City of Folsom

Deputy Director Robert Chung reviewed the TCI project and recommended that the Commission approve the project as part of a corridor, so that Folsom could meet the needed local match requirement. Commissioner Kozberg moved to approve the Resolution. Commissioner Reed seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**2.6b.** Financial Vote for Proposition 116 Projects**2.6b.(1)** One Local Proposition 116 Rail Program Project for \$29,568,000 - Sacramento Regional Transit District (See concurrent Project Approval under item 2.1e.(2).)  
Resolution BFP-98-22

This item was approved on the Consent Calendar.

**2.6b.(2)** One Local Proposition 116 Rail Program Project for \$2,400,000 City of Irvine (See concurrent Project Approval under item 2.1e.(1).)  
Resolution BFP-98-23

Refer to Item 2.1e.(1) for proceedings related to this Item.

**2.6b.(3)** Five Local Proposition 116 Non-Urban County Projects for \$1,356,873.  
Resolution BFP-98-24

This item was approved on the Consent Calendar.

**2.6b.(4)** One Local Proposition 116 Competitive Bicycle Program Project for \$700,000.  
Resolution BFP-98-25

This item was approved on the Consent Calendar.

**2.6c.** Financial Vote for One Local STIP Rail/Transit Project for \$400,000.  
(Contingent upon adoption of 1998 STIP Augmentation.)  
Resolution MFP-98-22

Jim Nicholas, Caltrans, reviewed the project. Commissioner Reed moved to approve the Resolution. Commissioner Diener seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**2.6d.** Financial Vote for Multiple Program Funded Projects

No Items This Month

**2.6e.** Allocation Amendments for Proposition 116 Projects

No Items This Month

**2.6f.** Allocation of up to \$1,413,175, remaining from the \$2,000,000 General Fund appropriation, to North Coast Railroad Authority (NCRA) for the following purposes:  
Resolution MFP-98-23

- up to \$380,000 for accounting/office administration purposes (for a cumulative total of \$800,000);
- up to \$51,175 for environmental issues (for a cumulative total of \$55,000);
- up to \$210,000 for employee claims;
- up to \$567,000 to pay general creditors;
- up to \$165,000 to repair signals at railroad crossings to comply with Federal Railroad Administration Emergency Order 21; and
- up to \$40,000 to defend an environmental lawsuit filed against NCRA by California Departments of Fish and Game and Toxics Control, and North Coast Water Quality Control Board and to appeal FEMA's retroactive application of its landslide policy on NCRA landslide claims.

Commissioner Reed reviewed the PTC's discussion of 5.1a and 5.1b and the request from Senator Burton regarding the allocation under Item 2.6f. Commissioner Reed recommended that Item 2.6f be allocated as follows: \$210,000 for employee claims, up to \$53,000 to pay general creditors that NCRA owes \$1,000 or less, as well as another \$20,000 for general creditors that may be owed slightly more than \$1,000 but are willing to settle with NCRA for \$1,000 with the extinguishment of the remaining debt and up to \$165,000 to repair signals at railroad crossings to comply with Federal Railroad Administration Emergency Order 21.

Commissioner Reed moved to approve Item 2.6f. Commissioner Kozberg seconded the motion which carried 7-0.

## **2.7** Aeronautics Financial Matters

- Allocation of \$108,000 for FY 1998-99 California Aid to Airports Program (CAAP) funds for three projects from the 1998 Aeronautics Program. Resolution FDOA-99-2
  - County of Lassen – All County Airports in Lassen County  
\$66,000 - Airport Layout Plans
  - County of Lassen – Ravendale Airport in Lassen County  
\$22,000 - Construct Turnaround – Runway 17
  - City of San Diego – Montgomery Field Airport in San Diego County  
\$20,000 - Segmented Circle

This item was approved on the Consent Calendar.

**2.8** Waiver of Commission Policy

- 2.8(1)** Request for waiver of the Financial Guidelines for Local Agency Reimbursement to extend the period of project reimbursement for Proposition 116 Non Urban County Program bicycle projects in San Luis Obispo County and the City of Brawley from June 30, 1999 to June 30, 2000. The Commission has allocated \$516,000 for these projects. Total reimbursement through February 3, 1999 is \$329,379 with remaining balances of \$186,621.

This item was approved on the Consent Calendar.

- 2.8(2)** Request for waiver of the Financial Guidelines for Local Agency Reimbursement to extend the period of project reimbursement on 55 allocations made to 21 agencies for 64 urban and commuter rail and mass transit projects which received an allocation of Proposition 116, Proposition 108, or Transit Capital Improvement Program funds in FY 1996-97 or earlier. Through January 1999, the Department has approved reimbursement for \$123,198,618 against the total \$206,781,328 allocated to these agencies.

David Cabrera, Caltrans, reviewed the requests for waiver to extend the eligible period for reimbursements.

Ian McAvoy, Peninsula Commute (Caltrain) Joint Powers Board, discussed the Caltrain JPB requests for waivers.

Linda Morshed, representing Sacramento Regional Transit, discussed a prior extension and that the Buy America issue had been resolved with the Federal Transit Administration and that granting the extension request would allow Regional Transit to complete the project.

After discussing the waiver requests, Commissioner Reed moved to approve the waivers as recommended by Caltrans, as well as those 6-month waivers sought by the Caltrain JPB and Sacramento RTD with the understanding that in keeping with the requirements of SB 45, no more extensions will be considered. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Wolf was absent). Caltrans staff was directed to notify those agencies that have received extensions and inform them that pursuant to SB 45, no more extensions would be considered.

**ACTION: D. Cabrera**

- 2.8(3)** Request for waiver of CTC Resolution G-99-03, 1998 Interim STIP Guidelines, Section 47 – Timely Use of Funds, for three Transportation Enhancement Activities (TEA) Projects to extend the period of contract award for up to twenty months.

Marsha Mason, Caltrans, reviewed the requests for waivers.

After discussion, Vice Chairman Fleming moved to approve a one-time extension. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Wolf was absent). Chief Deputy Director Pete Hathaway noted that staff had discovered a number of other TEA projects which would also need waivers, and these would be brought forward to the Commission in the next two months.

**2.9** Technical Changes to Previously Approved Resolutions

- 2.9(1)** Resolution FP-98-22, originally approved September 22, 1998, for \$6,126,000. Correct funding type on Project #1 (Greenback Widening Project) from State / federal split to all State. This technical amendment is necessary to allow reimbursement.

This item was approved on the Consent Calendar.

- 2.9(2)** Resolution MFP-98-13, originally approved December 2, 1998, in the amount of \$33,047,000 in State and Federal funds for seven (7) STIP projects. Change funding year from 1996 to 1998 for Project #3 - Tasman Corridor West Extension and change program code from 30.20.020.630 to 20.30.600.645 for Project #4 - Paso Robles (AMTRAK) Station improvements. This technical amendment is necessary to encumber funds for the identified projects.

This item was approved on the Consent Calendar.

**3. PROGRAM STATUS****3.1** Caltrans Monthly FY 1998-99 Finance Report

Craig House, Caltrans, reviewed the monthly Program Finance Report and reported that Caltrans' budget revisions would be going forward to the Legislature in the next week.

**3.2** Monthly Report on Status of Projects Previously Voted but not Awarded

Jim Nicholas, Caltrans, reviewed status of 14 projects that had been voted but not awarded-noting that 3 projects had been awarded in the past week and Caltrans expected to award ten more within a month.

**4. POLICY MATTERS****4.1** State Legislative Matters

Deputy Director Chuck Oldham presented a summary listing of 64 transportation bills categorized by subject. The Commission directed staff to prepare a comparison analysis of all legislation related to the Public Transit Account and develop principles for evaluating transportation funding bills for the balance of the session for presentation at the June Commission meeting.

**ACTION: C. Oldham**

**4.2** Transit Capital Improvement (TCI) Program**4.2a.** Status of FY 1996-97 and 1997-98 Unencumbered TCI Program Projects

David Cabrera, Caltrans, discussed the status of TCI funds that will revert unless allocated by June 30, 1999 and reported that 2 agencies (NCRA and Santa Cruz) have projects totaling \$406,620 which will not be ready by June 30, 1999.

The Commissioners discussed alternatives for resolving the problem. Debbie Hale, Santa Cruz County Regional Transportation Commission, expressed support for trading the older funding for the project and applying for funding - from FY 1997-98. The Commission directed staff to work with the Public Transit Committee to review all TCI projects in jeopardy.

**ACTION: R. Chung**

**4.2b.** Status Report on FY 1997-98 TCI Programming Shortfall

David Cabrera, Caltrans, discussed the status of the projected \$4 million TCI shortfall noting that it was reduced to \$2,277,500 due to reprogramming and cost savings. He discussed options for further reducing the shortfall.

Regional Agencies Moderator Therese McMillan noted that the Regional Agencies had no issue to raise with this item.

During the discussion, Caltrans was directed to prepare letters to all remaining designated recipients of FY 1997-98 TCI funds advising that with the TCI program winding down and the PTA funding shortfall, the Commission will apply a first-come, first serve policy for the use of the remaining FY 1997-98 TCI funds.

**ACTION: D. Cabrera**

**4.3** 1998 Mid-Cycle SHOPP Update**4.3a.** Mid-Cycle SHOPP Update

Jim Nicholas, Caltrans, presented the Mid-Cycle SHOPP update noting that 137 projects totaling \$555million had been funded through savings, reserves, and deleted projects. The Commissioners discussed the program changes and directed Caltrans to consider as an element of discussion under the Draft Fund Estimate in June the possibility of added demands to the SHOPP for funding long-life pavement, TOPS, and funding solutions for chronic recurring problems.

**4.3b.** Status of Examination and Identification of Chronic Slide and Repair Areas, and Potential for Alternative Mitigation

Mike Evans, Caltrans, discussed recurring problems and the costs for drainage, erosion, rockfall and slope improvement. After discussing the maintenance activities for overseeing the chronic recurring problems projects, the Commission directed staff to:

- Incorporate into the SR8 report the funding for the solution of chronic recurring problems.

**ACTION: R. Remen**

- Report back on the possible offset/savings realized through the funding of permanent solutions to selected chronic recurring problems.

**ACTION: J. Nicholas**

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**4.4** 1998 State Transportation Improvement Program (STIP) Augmentation**4.4a.** Staff Recommendations

See Item 4.4b for proceedings related to this item.

**4.4b.** Adoption of 1998 STIP Augmentation  
Resolution G-99-\_\_\_\_, Amending Resolutions G-98-08 and G-98-19

Deputy Director David Brewer summarized the Staff Recommendations for the 1998 STIP Augmentation.

Regional Agencies Moderator Therese McMillan discussed the need to develop well-thought out projects. The Commissioners discussed the recommendations. The following action items resulted from the discussion:

- Prepare letters of inquiry to those Regional Agencies carrying reservations in the 1998 STIP Augmentation to clarify timing and purpose of converting reservations into programming commitments.

**ACTION: S. Maller/D. Brewer**

- Schedule for June Commission meeting a presentation of working assumptions for the Draft Fund Estimate due at the July meeting for a discussion of the appropriate strategy for more aggressive programming of resources.

**ACTION: J. Borucki**

- Prepare an advisory letter to Legislature noting that certain counties have programming capacity well in excess of a reasonable estimate of return to source and whether those counties carry a greater responsibility for addressing priorities other than simply local priorities with this added programming diversion from other areas.

**ACTION: P. Hathaway/C. Oldham**

- Resolve the funding arrangement for both I-15 projects and report back to the Commission in May.

**ACTION: Norm King(SANBAG)/J. Nicholas**

Max Bridges, Council of San Benito County Governments, discussed storm damage in the county and spoke in opposition to the staff recommendations. The Commissioners clarified that San Benito's request was for after-the-fact reimbursement for storm damage repair which runs contrary to guidelines and SB 45.

Commissioner Wolf moved to adopt the staff recommendations with amendments to San Bernardino. Commissioner Diener seconded the motion which carried 7-0.

**4.5** Status Report on SR 8 (Burton) Transportation Infrastructure Needs Assessment

Executive Director Remen discussed the status of the SR 8 Study and discussed some of the elements being reviewed. He also discussed the status of the questionnaires that had been sent to transportation agencies and noted that about 75% of them had responded to date.

**4.6** Discussion of Los Angeles County Metropolitan Transportation Authority (LACMTA) Issues**4.6a.** Approval of Memorandum of Understanding (MOU) between the Commission, LACMTA, and Pasadena Blue Line Construction Authority (PMBLCA)

Deputy Director Robert Chung discussed the status of the MOU. He noted that the Pasadena Authority had adopted the draft MOU with minor changes. He noted that LACMTA did not expect to act on the MOU until April 29, 1999 and discussed the option of acting on the MOU today or waiting until the May Commission meeting after LACMTA had acted.

The following individuals presented testimony on Item 4.6:

Connie Rice of the NAACP Legal Defense Fund representing the Bus Riders Union  
 Rocky Rushing representing Senator Tom Hayden  
 Eric Mann representing the Labor Community Strategy Center  
 Mike Hernandez representing the Los Angeles City Council and the Pasadena Metro Blue Line Construction Authority  
 Paul Little representing the Pasadena Metro Blue Line Construction Authority

Commissioner Reed moved to table action on the MOU until May when LACMTA had acted upon the MOU. Commissioner Kozberg seconded the motion which carried 7-0.

Allan Lipsky, LACMTA, reviewed the progress of LACMTA implementing projects to meet the Consent Decree standards and discussed the Special Master's ruling on LACMTA's progress in implementing the Consent Decree.

The following action items resulted from the Commissioners' discussion:

- LACMTA was requested to examine a worst-case contingency plan in the implementation of the Consent Decree in considering the fundability of the Pasadena Blue Line project.

**ACTION: Julian Burke/Alan Lipsky (LACMTA)**

- Review the air quality conformity implications implied in the Special Master's ruling for the South Coast Air Basin and the adjacent counties to Los Angeles County.

**ACTION: Julian Burke/Alan Lipsky(LAMCTA)/Mark Pisano(SCAG)**

**4.6b.** Presentation of Capital and Operating Financial Plans

Refer to Item 4.6a for proceedings related to this item.

- 4.6c.** Presentation by LACMTA Regarding Compliance with Consent Decree and Responses to Concerns Raised by Bus Riders' Union and NAACP Legal Defense Fund

Refer to 4.6a for proceedings related to this item.

- 4.7** Review and Comment on Draft Intercity Rail Business Plan

Commissioner Reed discussed the Public Transit Committee's comments on the Draft Intercity Rail Business Plan noting that it would be presented in May. He asked staff to develop guidelines for minimum ridership for intercity rail passenger service.

**ACTION: R. Chung/W. Weber**

- 4.8** Review of Policy Options Regarding Federal Demonstration Project Funds Resolution G-99-\_\_\_\_

Chief Deputy Director Pete Hathaway reviewed policy options for federal demonstration project funds including how to divide demonstration funds among STIP funding partners, how to finance early use demonstration funds before they are available, and how to handle the likelihood that only 90.5% of the demonstration funds will be made available during the six-year TEA-21 period.

Regional Agencies Moderator Therese McMillan discussed the need to set a good precedent for managing demonstration project funds, and presented the policy options favored by the regional agencies. Craig House, Caltrans, supported the Commission's current proportional share policy as fair, suggested the State Highway Account could finance demonstration funds as necessary for state highway projects, and proposed that local agencies should agree to finance any funding gap if they choose to assume 100% of demonstration funding would become available and it does not. During the discussion of this item, Caltrans was directed to prepare an advisory letter for Chairman Sylvester's signature urging the Legislature and the Administration to seek from Congress flexibility to pool federal demonstration funds.

**ACTION: J. Nicholas**

After the discussing the pros and cons of the various options considered, Vice Chairman Fleming moved to retain the current proportionate sharing policy, with flexibility for all parties mutually to reach a different fund-sharing agreement. Commissioner Kozberg seconded the motion which carried 7-0.

Vice chairman Fleming moved to use State Highway Funds as a "float" for any project on the State Highway system with the "float" for all other projects to be a local responsibility, and reserving the option of reviewing each project on a case by case basis. Commissioner Diener seconded the motion which carried 7-0.

Vice Chairman Fleming moved to allow projects to use 100% of the demonstration project funds available if the local agencies commit to backfill and cover any shortfalls. Commissioner Kozberg seconded the motion which carried 7-0.

**4.9** Presentation of the 1998 California Transportation Plan

Joan Sollenburger, Caltrans, discussed recommendations in the 1998 California Transportation Plan and discussed the establishment of a Committee on the Future of Transportation in California, a Statewide Goods Movement Strategy, and the State's role in non-highway modes of transportation. She also discussed system performance measures and the need to focus on outcome measures.

**4.10** Presentation on California Transportation Improvement Program System (CTIPS)

Kurt Scherzinger, Caltrans, presented the California Transportation Improvement Program System and discussed its applications. The Commission asked that he incorporate in planning and deployment of the CTIPS Program access to that database by the Commission office.

**ACTION: K. Scherzinger**

**4.11** Presentation on Traffic Operations Strategies (TOPS)

Mike McManus, Caltrans, presented information about the Traffic Operations Strategies including, service, investment, focus areas, goals and objectives, congestion relief, and performance objectives.

The Commission directed staff to incorporate the TOPS information in the SR 8 Report.

**ACTION: R. Remen**

**4.12** Delegations of Authority to Department of Transportation

Jim Nicholas, Caltrans, presented the delegations of authority to Caltrans and recommended approval. Executive Director Remen indicated that Commission staff supported the recommendation.

**4.12(1)** Local Storm Damage and Local Street and Road Pavement  
Rehabilitation Projects  
Resolution G-99-\_\_\_\_, Replacing Resolution G-99-02

Commissioner Reed moved to approve the delegation for local storm damage and local street and road rehabilitation projects. Vice Chairman Fleming seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**4.12(2)** State Highway Pavement Rehabilitation Projects  
Resolution G-99-\_\_\_\_

Commissioner Diener moved to approve the delegation for state highway pavement rehabilitation projects on an interim basis, and that Caltrans should report back at the end of the year with an assessment of the benefits in requesting an extension. Vice Chairman Fleming seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**4.12(3)** Local Project Development Costs  
Resolution G-99-\_\_\_\_, Amending Resolution G-98-23

Vice Chairman Fleming moved to approve the delegation for local project development costs. Commissioner Diener seconded the motion which carried 6-0 (Commissioner Wolf was absent).

Regional Agencies Moderator Therese McMillan spoke in support of the delegations. The Commission requested that educational workshops regarding procedural steps for timely advancement of local projects be organized.

**ACTION: T. McMillan/J. Garlock**

The Commission requested Caltrans present in March 2000 a status report of the accrued benefits of the delegation of authority as justification for seeking a permanent delegation of this authority.

**ACTION: J. Nicholas**

**4.13** Annual Review of the Rate for Local Government Matching of California  
Aid to Airports Program (CAAP) Grants

Deputy Director Chuck Oldham discussed the rate for Local Government Matching of CAAP grants noting that it has been 10% every since the program started and that Caltrans and TACA supported the 10% rate. He noted that the item would be presented in May 1999 for approval and Commissioner Reed asked that this item be put on the May Consent Calendar.

**4.14** Report on Investments in State Highway System by Outside Funding Sources

Jim Smith, Caltrans, presented the report on investments in the State Highway System by outside funding sources and reviewed the detailed project lists provided in the book item.

**4.15** Review and Comment on Southern California High Speed Rail Route Options

Commissioner Reed noted that this item was withdrawn at the request of the High Speed Rail Authority and would be presented in June 1999.

**4.16** Status of Longer-life Pavement Rehabilitation Unit Cost Issues

Kevin Herritt, Caltrans, discussed the impact of unit costs on projects where longer-life pavement standards are to be used. He noted that pavement type selection is an engineering decision made on a project-by-project basis and that the goal is to select the pavement strategy that will provide the highway user with the best possible service at the lowest overall cost.

**4.17** Presentation on Recent Federal Court Decision Modifying Federal Practice with Respect to Conformity Funding and State Implementation Plans

Brian Smith, Caltrans, discussed the federal court ruling pertaining to air quality conformity in Atlanta GA, which cut off grandfathered approval of prior programmed projects, and its implications for California. Commissioners asked several questions and discussed issues for the STIP and program delivery.

Barbara Goodwin, Fresno County Council of Governments, also commented on the effect the ruling will have in California.

**5. MODAL ISSUES**

**5.1** Rail

**5.1a.** Listing of Liabilities and Assets, Including Debts Owed to Vendors and Contractors

Refer to Item 2.6f for proceedings related to this item.

**5.1b.** Review of Final Recovery Plan Including Benchmarks for Progress

Refer to Item 2.6f for proceedings related to this item.

**5.2** Highways

- Approval of Vincent Thomas Toll Bridge Program Resolution G-99-\_\_\_\_

Wayne Lewis, Caltrans, requested approval of Item 5.2 and 2.5b(5). Commissioner Kozberg moved to approve Item 5.2 and 2.5b(5). Commissioner Diener seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**6. OTHER MATTERS**

There being no further business the meeting adjourned at 10:45a.m.

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Robert I. Remen, Executive Director